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Letter dated 3 September 2014 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you a letter dated 3 September 2014 from Najib Ghadbian, Special Representative of the Syrian Coalition (see annex).

I would be grateful if you could circulate the attached letter from the Syrian Coalition to the Member States as a document of the Security Council.

(*Signed*) Abdallah **Al-Mouallimi**
Ambassador
Permanent Representative

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Annex to the letter dated 3 September 2014 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the President of the Security Council

On behalf of the National Coalition of Syrian Revolution and Opposition Forces (Syrian Coalition), it is with great alarm that I draw your attention to the confirmed and repeated use of chemical weapons by Syrian regime forces, in advance of the September 2014 briefing of the Special Coordinator for the United Nations-Organization for the Prohibition of Chemical Weapons Joint Mission to the Security Council. The Syrian regime's systematic non-compliance with Council resolution 2118 (2013) demands a decisive response by the Council, including through the imposition of measures under Chapter VII of the Charter of the United Nations as part of a comprehensive approach designed to end the conflict in Syria.

As was recently revealed in the independent commission of inquiry's eighth report on the Syrian Arab Republic, the Syrian regime has over the past five months engaged in repeated and systematic attacks on opposition-held areas using the chemical weapon chlorine gas (A/HRC/27/60). On 11, 12, 16, 18, 21 and 29 April, the cities of Kafr Zeita, Al-Tamana'a and Tal Minnis were subject to eight chemical weapons attacks deployed via barrel bombs sent from regime helicopters. Victims reported symptoms including vomiting, eye and skin irritation and choking, all of which are consistent with exposure to chemical agents. Since the release of the report, the Syrian regime has further deployed toxic gas on residential areas in Syria on 19, 20, 23 and 28 August.

The use of chlorine gas as an agent of war is a war crime. It is strictly prohibited under customary international humanitarian law as well as by the Rome Statute of the International Criminal Court. Chlorine gas itself is classified as a chemical weapon by the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, to which Syria acceded in September 2013. Its use in Syria is forbidden by Security Council resolution 2118 (2013), which specifically demands that those responsible for the use of chemical weapons be held accountable.

The Syrian regime bears full culpability for the chemical weapons attacks of April 2014. As the independent commission of inquiry on the Syrian Arab Republic has now confirmed, there are "reasonable grounds to believe that those agents were dropped in barrel bombs from government helicopters flying overhead". Indeed, the independent commission of inquiry — for the first time — explicitly acknowledged that Syrian "government forces used chlorine gas, an illegal weapon" in civilian areas (see A/HRC/27/60).

Security Council resolution 2118 (2013) demands that any use of chemical weapons by anyone in the Syrian Arab Republic be followed by the imposition of measures under Chapter VII of the Charter. The Security Council has, however, failed to fulfil this obligation. As a result, the Syrian regime has continued in its deadly use of chemical weapons, while also deploying other agents of mass destruction, including indiscriminate and disproportionate aerial bombardment and shelling. The Syrian regime's ability to act with impunity has generated a vicious cycle of atrocities by extremist groups like the Islamic State of Iraq and Syria (ISIS) and the Al-Nusra Front, which now include torture, murder, enforced disappearances and forcible displacement.

The ability of terrorist groups like ISIS to exploit the instability in Syria is made possible by international inaction on Syria. As stated by the Chair of the independent commission of inquiry on the Syrian Arab Republic on 27 August 2014, "The international community's failure in its most elemental duties — to protect civilians, halt and prevent atrocities and create a path toward accountability — has been matched on the ground by an abandonment of even the pretence of an adherence to norms of international law. As can be seen today, this has grave implications for the entire region". Indeed, terrorist groups like ISIS are now taking full advantage of the lawlessness in Syria to commit war crimes and crimes against humanity not only in Syria's Aleppo and Raqqah provinces, but also in Iraqi cities and towns like Mosul and Sinjar. The lack of accountability for chemical weapons use is thus a dangerous precedent for future atrocities by regime forces and extremist militants.

To stop the Syrian crisis from escalating further, a comprehensive approach must be adopted to address both the cause of the current Syrian crisis — Assad's destructive tyranny — and its consequence, ISIS's threat to international peace and security. Members of the Security Council still have before them the opportunity to strengthen moderate opposition forces on the ground by supporting the only credible alternative to both extremism and dictatorship in Syria: the Free Syrian Army and the Syrian Coalition.

Today we ask that you exercise your legal duties under Security Council resolution 2118 (2013) to hold the Syrian regime responsible for its proven use of chemical weapons, and to implement without delay a comprehensive approach to resolve the Syrian crisis and lay the foundations for a future political solution.

(*Signed*) Najib **Ghadbian**
Special Representative of the Syrian Coalition to the United Nations